ADVERSE TO THE GOVERNMENT IN POLICY SLIP CASE.

In the Case Against Champion the Majority of the Court Holds That the Carrying of Lottery Tickets From One State to Another Is Interstate Commerce

WASHINGTON, Feb. 23.-The Supreme Court to-day decided the case coming from the Court of Appeals for the Sixth Circuit involving the question whether or not the carrying of policy slips from one State to another is a violation of the law against the transportation of lottery tickets and the like in the mails, or from one State to another by any person, adversely to the contention

Francis and others were indicted for conspiracy for the transportation of lottery slips from Covington, Ky., to Cincinnati, Ohio, and were convicted, the conviction being affirmed by the Court of Appeals. Announcing the opinion of the court, Justice Holmes said that the slips did not represent any interest of the purchaser in the lottery; that the transportation was for the benefit and protection of the lottery company alone, and that the statute dealt only with documents representing the title of the purchaser to something. For these reasons, discussed at length in the opinion, the decision of the lower courts was reversed, and a new trial

ordered. Justice Harlan dissented. The appellants based their appeal on the ground that a lottery ticket is not an article commerce and that, therefore, the carriage of a lottery ticket from State to State is not interstate commerce. They further contended that, even if such carriage be commerce, yet the power to "regulate ommerce" did not justify its absolute and indefinite prohibition.

The Government contended that, as lottery tickets had been customarily the subject of purchase and sale, they were articles of commerce, but even if they were to be regarded as divested of commercial character by reason of adverse legislation, the carriage from State to State, either by a common carrier or by an individual, is commerce, inasmuch as the transportation of men or freight is not only an incident commerce, but it is commerce itself. It argued on the authority of Gibbons Ogden and numerous other cases referred to in its brief, that commerce is a term of much broader significance than mere traffic or the "exchange of goods."
Following the definition of Chief Justice

Marshall in the case referred to, the Government defines commerce as such "intercourse" between nations and nations or States and States as results from the transit of individuals, the carriage of persons or property, or the transmission of intelligence.

With reference to the extent of the Fed-With reference to the extent of the Federal power over commerce, the Government contended that the right to "regulate" includes the right to "prohibit" commerce in a given article, and supports this contention not merely by other clauses of the Constitution, but also by historical evidence that the so-called "regulations of trade" which were known to the framers of the Constitution were in many instances. of the Constitution were in many instances absolute prohibitions of commerce in a given article.

CARBYING LOTTERY TICKETS FROM ONE STATE

The decision of the court in the case of Champion vs. Ames, a habeas corpus proceeding growing out of the Anti-Lottery law, was announced by Justice Harlan. The facts were that Champion was indicted in Texas for violating the law by conspiring with another to send lottery tickets by express from Texas to California. Fleeing from Texas Champion was arrested in Chicago and ordered to be sent to Texas for trial. He sued out a writ of habeas corpus, asking for release on the ground that the law which he was charged with violating was unconstitutional, in that by no enactment of Congress could the transportation of lottery tickets be made interstate commerce within the meaning of the clause in the Constitution giving Congress power to regulate it. His petition was denied, he was remanded to the The decision of the court in the case of

of the clause in the Constitution giving Congress power to regulate it. His petition was denied, he was remanded to the custody of Marshal Ames, and appealed to the Supreme Court of the United States. Disposing of the case Justice Harlan's opinion reviewed at length the question "What constitutes commerce?" and the decisions of the courts relating thereto. He deduced from this assertion that there was no basis for the contention that Congress had no power to prohibit the transportation, as interstate commerce, of lottery tickets. Being subjects of traffic, he said, the Court was of opinion that they were subjects of interstate commerce.

It was further contended, the Justice said, that the power of Congress was limited to the regulation merely of interstate commerce. Decisions were numerous, however, that Congress had a large discretion in determining the means by which the regulation shall be enforced. They may take the form of prohibition or suppression, and that was the evident intention of Congress in enacting the law of 1895. The power of Congress to regulate commerce between the States is plenary and is subject to no limitations except such as may be found in the Constitution. There is nothing to prevent Congress from saying, as it has, that commerce among the States shall not be polluted by the transportation of lottery tickets. In conclusion Justice Harlan said:

The whole subject is too important, and the questions suggested by its consideration

of lottery tickets. In conclusion Justice Harlan said:

The whole subject is too important, and the questions suggested by its consideration are too difficult of solution, to justify any attempt to lay down a rule for determining in advance the validity of every statute that may be enacted under the commerce clause. We decide nothing more in the present case than that lottery tickets are subjects of traffic among those who choose to sell or buy them; that the carriage of such tickets by independent carriers from one State into another is therefore interstate commerce; that under its power to regulate commerce among the several States Congress—subject to the limitations imposed by the legislation upon the exercise of the powers granted—has plenary suthority over such commerce and may prohibit the carriage of such tickets from State to State; and that legislation to that end, and of that character, is not inconsistent with any limitation or restriction imposed upon the exercise of the powers granted to Congress.

The judgment of the Circuit Court for

The judgment of the Circuit Court for the Northern District of Illinois remanding Champion to custody for removal to Tegas, was therefore affirmed.

Chief Justice Fuller, Justices Brewer.
Shiras and Peckham dissented. The naked question involved, the Chief Justice said, was whether or not the transportation of lattery tickets from one State to another, by means other than the mails, can be prohibited by Congress. He and his fellow dissenters did not believe that it could be. The only ground on which that could be asserted, the Chief Justice went on, was that lottery tickets were subjects of interstate commerce, or that Congress had the power to absolutely prohibit the transportation of anything or any person from one state to another.

When Chief Justice Marshall decided that DISSENTING OPINION.

follows as a consequence. Since the decision handed down by a bare majority of the court to-day does hold that the power to regulate is the power to prohibit, the Administration, of course, finds great satisfaction in the verdict.

For several weeks leading Senators and Members of Congress have looked forward to this decision with interest, for it was frequently asserted by members of the Administration that the lottery cases had a direct bearing upon the present crusade against the so-called trusts. Had the decision been adverse and had it been handed down before the recent legislation was enacted, the Administration's programme would probably have been checked.

RRITISH APSEV DEAY ATTACKED.

BRITISH ARMY PLAN ATTACKED. Sharp Debate in House of Commons-Mr. Brodrick Defends It.

Special Cable Despatch to THE SUN. LONDON, Feb. 23.-Debate on the address in reply to the King's speech was resume in the House of Commons to-day. Ernnest Beckett, Conservative Member for the Whitby division of the Yorkshire North Riding, moved an amendment to the effect that the House humbly regretted that the organization of the land forces was unsuited to the needs of the empire and that no proportionate gain in strength or efficiency had resulted from the recent increase in

Mr. Beckett declared that no man had greater opportunities than Mr. Brodrick, the Secretary of State for War, but he had either unhappily used or neglected them. He had produced a scheme unsound in principle and ruinous in practice. The army scheme was ready for everything except war. It was a scheme based on a wrong principle. Besides being enormously costly, it failed to remove defects disclosed by the recent war, and was not adapted to the real requirements of the nation. Finally, it had no real existence. The last thing the War Office desired was information.

Sir Charles Dilke complained that the army expenditures exceeded those of the

The Rt. Hon. St. John Brodrick, replying to these criticisms, said that there was an absolute divergence in the views of the honorable gentlemen. One said, rely on the Volunteers; another, increase the field artillery. There was a time when complaint was made of the paucity of our forces; now it was said we should depend on our citizen army.

But no man would say that we could rely

on Volunteers for defence against a foreign foe unless they were equipped with artillery and trained up to the highest point. He ridiculed the idea that England could depend on a citizen army and eulogised the Government's army organization scheme, for which he said that he was responsible.

The aim of the army corps scheme, the Secretary continued, was not to add enormously to the army, but to establish a standard on which the War Office could work. The proportion of the various arms would be regulated, and if over the empire had to send a vast force abroad it would have the nucleus of a system of organization at

He concluded by urging the House to deal with the subject on the highest plane. There was groundwork in the present

uxuriously on the American plan.

COURTED ON GOLF LINKS.

Matrimonial Match Arranged Between Miss Canning and C. H. Conner. ENGAGED—CONNOR—CANNING.—Mrs. Reginald Canning of Yonkers announces the engagement of her daughter, Miss Mabelle J. Canning, to Mr. Charles Horace Conner of Rye, N. Y.

Hidden behind this notice published in an evening newspaper is the story of the courtship of a young couple on the links of the Apawamis Golf Club at Rye-on-the-Sound. Charles Horace Conner is the son of the late Charles H. Conner, a wealthy manufacturer of Indiana. He was graduated from Yale with the class of '99 with high honors and shortly afterward met Miss Canning, a pretty blonde. Both are expert goif players and they made more than a golf match on the club course.

Mr. Conner, who is a member of the Yale Club, the Apawamis Golf Club and several New York clubs, is connected with the United States Battery Company and lives with his mother and brother on Grace Church street, Ryo. Miss Canning lives with her mother at 65 Park avenue, Manhattan. The date for the wedding has not yet been decided upon.

WHOLE JUNGLE ON BELGRAVIA Elephant, Yak, Gazelle, Mouffin, Wart Hog, Zebra, Tapir—Two Scraps.

The Hamburg-American liner Belgravia in yesterday from Hamburg, had aboard a big collection of wild and tame beasts and birds for circuses and zoological gar-dens, near and far.

One male elephant, 9 feet, 10 inches tall. consigned to Sells Bros., objected to the Belgravia's orchestra playing Wagnerian things, and started a vocal concert of trumpeting, meanwhile tearing out a few

trumpeting, meanwhile tearing out a few bars (not Wagnerian) of his cage.

The band was removed beyond earshot of the big fellow and he became docile.

A sloth bear and a black panther, in adjoining cages, got into an argument, and the bear slipped a paw into the cage of the panther, tearing out his left eye.

Otherwise the voyage of the meagerie was uneventful. Among the creatures are a black yak, a gazelle, an axis deer, two antelopes, a mouffin, one wart hog and two boxes of monkeys, for the Bronx Park; a four-horned antelope, one zebra, three two-humped camels, one spotted hyens, one white llama and one South American tapir.

Herole Rescue of High School Student by

Herote Rescue of High School Student by Two of Her Mates.

When Chief Justice Marshall decided that interstate commerce included intercourse between the States, he had in mind commercial intercourse. By no means that he could concieve, Chief Justice Fuller edid, could the carrying of lottery tickets from one State to another be considered commercial intercourse; they were not in themselves property. No more could he and his associate dissenters construe the power of Congress to regulate interstate commerce into a power to absolutely prohibit or suppress that commerce.

Attorney-General Roox, Assistant Attorney-General Roox, Assistant Attorney-General Beck, who argued the lottery cases before the Supreme Court, and other officers of the Department of Justice believe that to-day's decision; from under the ice.

The three were pulled out, the boys almost as much exhausted as the girl. She was fardly over when Earl Blydenburgh, another high school student by Two of Her Mates.

BAY SHORE, L. I., Feb. 23.—Miss Florence Baker, a pupil in the high school here, narrowly escaped drowning this afternoon in Robbin's Lake. She was skating when the ice broke under her and she sank. She deam up under the ice and would have drowned but for Edward Munoy and Edward Molecon and Would have drowned but for Edward Munoy and Edward Molecon and when which Miss Baker had gone. They were a long time, seemingly, in finding her, but finally dragged her, unconstituted believe that to-day's decisions, from under the ice.

The three were pulled out, the boys almost as much exhausted as the girl. She was route with difficulty.

The excitement over this incident was hardly over when Earl Blydenburgh, another high school student, broke through the ice and was hauled out safely by means of a plank. There were several other narrow escapes from immersion and drowning the drowning this afternoon in Robbin's Lake. She was skating when the ice broke under the ice and would have drowning this afternoon in Robbin's Lake. She was skating when the ice br

en additional cases, making a total of forty-five disposed of as the result of the days work. There are thirty-five cases

now remaining with the court for decision, but of these only ten have been argued, the remainder being applications for writs of certiorari, motions, &c. Mr. Justice Shiras sat with his brethren on the bench for the last time to-day, his retirement taking effect on this date. He eaves to-morrow for Florida to join Mrs. shiras and to remain several weeks. Their son, George Shiras, 3d., is a member-elect

of the House in the Fifty-eighth Congress,

and it is believed they will make their home n Washington for a few years at least. Justice Shiras announced the opinion and decision of the court in the case of Frank M. Prout, Attorney-General Nebraska, vs. the Chicago, Rock Island and Pacific Railroad, rebuking that official for his action. The suit grew out of the Nebraska maximum freight rate law, which the Supreme Court held to be unconstitutional, and Prout endeavored to prosecute the case in violation of a stipulation entered into by his predecessor in office and in deflance of the judgment of the Supreme Court that the law, the penalties of which he was attempting to enforce, had been declared null and void.

A number of tax cases were disposed of, mostly sustaining the laws and actions of

fficials of various States. The effort of the Amalgamated Copper Company, through its constituent company, the Boston and Montana, to prevent the Montana Ore Purchasing Company from working its claims alleged to be in conflict with the copper company's Pennavlvania lode in Montana, proved futile, the court, in an opinion delivered by Justice Peckham, affirming the judgment of the Circuit Court for Montana, dismissing the bill, on the ground that no Federal question was presented. The same fate attended the suit to receiver \$500,000 damages for the wrongful taking of ore from the plaintiff's claim, and the similar suit instituted against the Chile Gold Mining

stituted against the Chile Gold Mining Company et al.

The Fourth National Bank of St. Louis, the First National Bank of New York and Ford Harvey have finally been defeated in their efforts to secure payment of their claims against the estate of C. S. Cross, formerly president of the First National Bank of Emporia, Kan. Cross had been misusing the funds of the bank and on Nov. 1, 1888, killed himself after having made an assignment of his property to one William Martindale on the previous day. The property was sold under agreement, and the banks and Ford Harvey claimed the proceeds under the assignment of Nov. 15. However, the assignee of the Emporia bank claimed the proceeds under assignment of the May previous, and by the decision of the Supreme Court to-day, the receiver gets the money.

ceeds under assignment of the May previous, and by the decision of the Supreme Court to-day, the receiver gets the money. The suit of the results attained within the last two years he unheaitatingly and fearlessly submitted his policy to the House.

SHIP COMBINE'S OFFICES.

Valuable site Secured in London for a Modern Building.

Special Calle Despitate to Ten Sum.

London, Feb. 23.—It is understood that the International Mercantile Marine Co, has acquired a valuable site for its offices close to Trafalgar Square. The position is at the apex of a triangular block separating Cockspur street and Pall Mall East.

It is stated that the building at present on the site will be demolished and an architecturally magnificent structure will be erected in its place. The offices will be fitted

to the bankrupt's estate, and held by a third

party.

Because the United States Government puts an elevator in a public building for the use and convenience of persons having business therein, Justice Harian said today, announcing the judgment of the court in the case of William Samuel Bigby vs. the United States, that the Court knew of no legislation making the Government responsible in damages for the actions or misfeasance of any of its employees. Bigby was hurt in the Brooklyn Post Office building and sued for \$10,000 damages. He recovered nothing.

The Mutual Life Insurance Company will have to pay a \$5,000 policy issued upon

The Mutual Life Insurance Company will have to pay a \$5,000 policy issued upon the life of Henri Goulden McGrew of Honolulu, twice. His wife, Josephine McGrew, was made beneficiary. Subsequently McGrew went insane and his committee secured for him a divorce from Josephine. Under the Hawaiian law the decree of divorce ousted Josephine as beneficiary, and when the insured died, the company paid the face of the policy to his committee. Josephine, in California, sued to recover the face of the policy and the State courts gave judgment in her favor saying they were not bound by the law of Hawaii. That judgment the Supreme Court refused to disturb.

Ex-Judge Woodruff Asphalt Receiver.

TRENTON, N. J., Feb. 23 .- Judge Kirkpatrick made an order in the United States Circuit Court to-day appointing ex-Judge ictermine certain facts in relation to the litigations now pending against the Na-tional Asphalt Company and the Aspalt Company of America. The referee is to take testimony as to the principal and interest of the outstanding collateral gold certificates of both companies, and also to report what securities are held by the Land Title and Trust Company as securities for these certificates, together with other facts involved in the suits.

The List of Referees. The following is a list of referees appointed in

McNulty vs. Mitchell F. Mahoney vs. Berulard L	dchard M. Henry.
America	files M. O'Brien, Jr.
Union Dime Sav. Inst. vs. True	and the same of th
Am. Mort. Co. vs. Bergen. E Bergman vs. Kronenber-	lenry A. Braun.
Excelsior Sav. Bank vs.	Theodore L. Balley.
Lots vs. Lotz	alph H. Holland.
Maiter of Parmly	dward G. Whitaker.
U.S. Life Ins. Co. vs. Welss 2 cases	ichard H. Clarke.
De Lancey va. Van Cort-	illiam N. Cohen.
Tuthill vs. HartA	rthur Knox.
Weber vs. Schnugg	
Higgins vs. Thebaud F	ulton McMahon.
Morrison vs. Michaels . E Equitable Life Assur. Soc'y vs. Oliver	dward Browne.
Matter of De Brot Je	ohn Rurt.
Berzon vs. Kopelouitz G Daly vs. Daly J Horstmann vs. Olwell . L	ames F. Abearn. ouls B. Van Gaasbeck.
Matter of Mortimer Elec.	
Harrison vs. Wilson G	Truas.
marrison vs. Wilson G	erard Loberts

By Justice Truax.

Harrison vs. Wilson Gerard Roberts.
Cullinan vs. Mecauley Emerich Kohn.
Met. Life Ins. Co. vs. Farley Albert I. Sire.
By Justice Davis.
Sliverberg vs. Goslin Henry M. Earle.
Matter of Dreyfus Abram Stern.
By Justice Blanchard
Drake vs. Ferrin. Cephas Brainerd.
Penner vs. Penner. Kamilton Odell.

MONDAY, Feb. 25.

The American security markets were closed to-day. The London cables reported fractionally lower prices for American shares in nearly all the issues quoted New York Central and Pennsylvania were steady at nearly Saturday's closing. The The following table shows the closing prices for some of the American shares dealt in in the London market, togethe with the New York equivalents, and London's Saturday and New York's Friday

Satur- To- N. Y. Friday's day's day's Equies- N. Y. Closing. Closing. ... 894 884 ... ... 14134 14015 Erle 1st pfd. Louis. & Nash...... 129
N. Y. Central...... 15114
Pennsylvania...... 7614 Union Pacific ... 10414 10314 U. S. Steel ... 4014 3914 U. S. Steel pfd ... 91 9014 Money on call in London was quoted

closing quotations:

short bills, 31/63% per cent., and for three months' bills, 31/2 per cent. Bar silver was steady at 221/4d. per ounce. In the Liverpool cotton market spot cotton was in fair demand with prices two points higher. American middling, fair, 5.94d.; good middling, 5.56d.; middling, 5.38d.; low middling, 5.26d.; good ordinary 5.14d.; ordinary, 5.02d. The sales of the day were 10,000 bales, including 9,100 American. Receipts were 14,000 bales, including

7,700 American. Futures opened steady and closed quiet; American middling, g. o. c. February, 5.22d.; February and March. 5.21@5.22d.; March and April, 5.21@5.22d.; April and May, 5.23d.; May and June, 5.24@ 5.25d.; June and July, 5.25d.; July and August, 5.24d.; August and September, 5.12d.; September and October, 4.84d.; October and November, 4.61@5.62d., and November

DELAYS IN OUR WARSHIPS. Armor and Guns Behind Time-Changes in Design Also Hinder Work.

PHILADELPHIA, Feb. 23.-Speaking of the delay in the building of battleships to-night, an official of the Cramp shipbuilding yard said:

"Armored vessels are delayed in completion by the failure of Government yards o deliver the armor and ordnance accordng to contract on time and in regular order so as to carry out the work at the best advantage. The Government insists upon supplying the armor and ordnance and with every new or fresh discovery or invention it may desire to change the construction of these, and the building of the ship is delayed so long as the fresh experiments are being made.

The next thing that delays the construction of the vessels is the many changes that are made in the designs during the period of construction. Another is the failure of the Government to produce materials, plates, shapes and forgings on time. This is not always the fault of the Government. In fact, it is rarely so. It is the fault of the sub-contractors, and the original contractors can hardly

responsible.

So long as the government stops the build-"So long as the government stops the building of a vessel to have improvements added so long there will be delay. This is where the English are so much stronger than any other nation. When they have once ordered a vessel or a class of vessel consisting of a certain number, the changes to be made are so insignificant that they do not delay the building. But we, like the French, and the Germans and the Russians, are full of fads and fancies, and we put a full period to the construction of a vessel, regardless of public or professional opinion, merely to add to an otherwise good vessel some new-fangled idea which may or may not prove to be only an experiment."

IS COP M. W. BUTLER SANE? Him to Bellevue to Find Ont.

Michael W. Butler, a patrolman attached to the West Forty-seventh street station, but under suspension, walked into Belle-

his sanity tested.

He was accompanied by his wife, Margaret, formerly a professional nurse and pital, who persuaded him to undergo an examination after observing his symptoms for the past few months.

According to the policeman's wife he stop a runaway in the West Forty-seventh street precinct in 1900. He was taken to the Metropolitan Hospital, Eighty-second street and Second avenue, where there. They were married a month after

there. They were married a month after he left the hospital.

On Feb. 19, according to Mrs. Butter, her husband was struck in the head with a club while trying to scatter a gang of roughs at Forty-sixth street and Ninth avenue. He was under the care of the precinct surgeon, Dr. Nesbitt, for two days. Then, she says, the doctor ordered her husband to report for duty. She told the doctor that their family physician would not allow her husband to return to duty, and he was suspended for failing to report.

report.

Mrs. Butler says her husband's mind has been seriously affected by the two blows he received on the head, and that she fears he will not be fit for duty again.

Butler is 35 years old and has been on

Miss Emma Thursby, for many years a Miss Emma Thursby, for many years a leading soprano soloist of Brooklyn and a general favorite in musical circles, held a birthday reception at the Pierrepont Art Rooms, 44 Clinton street, Brooklyn, yesterday afternoon. It was the first time in several years that Miss Thursby had sung in public. Her singing of "Snowflake," an old English ballad that she used to sing in her prime, received generous applause.

The weather was generally fair over the country yesterday, save for an area of low pressure over the Lake regions, causing warmer weather, cloudiness and light snow. There was a second depres-

was high, with the centre drifting southward, giving southerly winds along the coast.

It was warmer in nearly all districts. In this city the day was fair, with fresh southerly winds; average humidity, 66 per cent.; barometer, corrected to read to sea level, at 8 A. M. 30.30 P. M. 30.35.

The temperature yesterday as recorded by the official thermometer is shown in the annexed table; 1903, 1907, 1908, 1908, 1908.

WARRINGTON FORSCAST FOR TO-DAT AND EU-

portion; fresh southwest winds: increasing cloudiness to-morrow.

For the District of Columbia, Maryland and Delaware, fair to-day; increasing cloudiness to-morrow, followed by rain or show this afternoon or to-night; variable winds.

For New Jersey and Eastern Pennsylvania, fair to-day; increasing cloudiness to-morrow. to-day; increasing cloudiness tomorrow, followed by rain or anow this afternoon or to-night in south portion; fresh west winds becoming variable. For western New York, fair in southeast, mow in north and wast portions to-day; fresh west

PINANCIAL AND COMMERCIAL BOY ROBBED HOTEL GUESTS.

CONFESSES TO THEFTS AT THE HARGRAVE AND ST. HUBERT.

Louis Messler Had Been Employed at Both -Miverware of Hotels From Here to San Francisco in His Room-His Roommate, John Cullin, Arrested, Too Louis Messier, a well-dressed eighteen-

year-old boy, whose father is a general insurance agent in Salem, Mass., was arrested early yesterday morning, charged with robbing guests in the Hargrave Hotel, 112 West Seventy-second street, where he had been employed as a bellboy. After his arrest the boy confessed that

late in January, while he was similarly employed at the St. Hubert, 120 West Fiftyseventh street, he got away with nearly \$2,000 worth of jewelry belonging to residents of the apartment house. With Messier was arrested John Cullin, 22 years old. The police were unable to

make any charge against him yesterday except that he was Messier's roommate and had a piece or two of the stolen jewelry in his possession when he was nabbed. at 31/624 per cent., the rate of discount for George H. Purser, a lawyer who lives at the Hargrave, reported to Capt. Kear of the West Sixty-eighth street station on Sunday morning that his rooms in the hotel had been entered and jewelry to the value of \$800 stolen. Detectives Douglas an I Coleman, who were detailed on the case, learned that the bellhoy had spent more money than he could apparently afford and that he had left the hotel.

The detectives found him at a boarding house at 248 West Forty-fifth street, where

house at 248 West Forty-fifth street, where he roomed with Cullin. He was not at home when the detectives got there and they waited until 3 o'clock Monday morning when he came in with his roommate Both were arrested.

Both were arrested.

Most of the Purser jewelry was found in
Messier's possession. A thorough search of
the room brought to light pieces of silverware that had evidently been stolen from various hotels all over the country. A large amount of hotel stationery was also found. Some of it was from as far west as San

Francisco.

Messier and Cullin were taken to Police Headquarters yesterday morning. There it was found that the police had had a warrant for Messier since Jan. 21 when one was issued by Magistrate Breen in the West Side police court. The warrant was issued at the request of Manager Phelan of the St. Hubert who alleges that Messier, while a hailboy, got away with \$2,000 worth of jeweiry belonging to Frederick Ely, a banker. Detectives Price and Collins of the Central office had been searching for evidence against Messier in that case.

When the boys were taken to the West Side police court yesterday Messier appeared to think the whole matter a huge joke. He laughed as he told Central Office Detective Sergeant Collins what he had done with the jewelry stolen from Mr. Ely. Most of it he had pawned, he said; some he had given away, and some he had lost.

Messier, when he was arraigned before Magistrate Pool, said that he was guilty on both charges. He was held in \$2,500 bail for trial on the old charge, and in \$1,500 on the new. Cullin was held in \$500 bail for examination to-day. No formal complaint was made in his case.

for examination to-day. No formal com-plaint was made in his case.

Detective Collins said that he went up to Salem for Messier after the St. Hubert robbery. The boy had respectable parents, he said, but had run away from home. According to the boy's own story he has travelled all over the country. He has been known as Dan Collins and as Ferand L. Messier. He is said to be a graduate of a college in Canada. L. Messier. He is college in Canada.

Street Car Run Down by an Auto. An eastbound Twenty-third street car was run into yesterday by a public automobile going in the same direction. Passengers in the car were shaken up and
scared by broken glass. One of the wheels
of the auto was taken off by the collision.
No one was hurt.

OBITUARY.

John Quinn, a well-known West Side politician, died early yesterday morning of pneumonia at his home, Fifty-second street and Eleventh avenue, aged about 62 years. He was born in County Tipperary, Ireland, and came to this city about thirty years ago. He was a member of Tammany Hall and served at various times as Alderman, Assemblyman and Congressman. Until last Angust he was a Deputy Commissioner of Buildings, Lighting and Supplies. He was a member of the Narragansett Club in West Fifty-fourth street and was prominent in Irish affairs. He leaves a widow and six children, four daughters and two sons.

J. Frederick Hegeman died in his home near Hempstead, L. I., yesterday. He leaves a widow and a married daughter, Mrs. W. B. Lauden. By his efforts, largely, Fulton street, from Jamaica to Hempstead, was made a public highway. The road was formerly the Jamaica and Hempstead Plauk road, a toll road. Mr. Hegeman for many years appeared before every Queens county Grand Jury endeavoring to have the company's claim to the road vacated, and finally was successful. John Quinn, a weil-known West Side poli-

Receipts of beeves for two days were 4.740 head, including 92 cars for export alive, 132 for slaughterers and 37 for the market. Steers were steady to 10c. lower; buils unchanged; fat cows steady medium and common grades firm. The yards were cleared. Medium to choice native steers sold at 44.65685.40 per 100 ibs.; oxen and stags at 33.85485; cows at \$2.20654.00. Dressed beef in fair demand at by \$70 c. per lb. for inferior to choice native sides. Liverpool and London cables quoted live cattle slow sheep steady at 14215½c. per lb., dressed weight. Exports to-day, 683 beeves and 4.550 quarters of heef; to morrow, 810 beeves, 2.250 sheep and 4.950 quarters of obecf.

Receipts of calves for two days were 1.676 head, including 264 for bytchers and 1.412 for the market; making, with the stale stock, 1.482 on sale. Veals ruled steady to 25c. lower; little calves fell off 256; been years and \$2.50 hearny and and Western calves unchanged. The pens were cleared. Common to choice veals sold at \$5.630.75 per 100 lbs., little calves at \$3.54.125, City dressed veals rather calves at \$3.754.125, City dressed veals rather calves at \$3.754.125, cer tb.

Receipts of sheep and lambs for two days were in light supply and firm; top grades higher; good to choice lambs firm to 5c. higher; medium and common to choice sheep sold at \$3.50.285.20 per 100 lbs.; export grades at \$3.50.285.70; cults at \$2.750 at \$3.50.00 hearny and sole; for the market; making. With the stale stock, 37 cars on sale. Sheep were in light supply and firm; top grades higher; good to choice lambs firm to 5c. higher; medium and common to choice sheep sold at \$3.50.285.20 cults at \$2.750 at \$3.50.00 hearny and sole; for the market; making. With the stale stock, 37 cars on sale. Sheep were in light supply and firm; top grades higher; good to choice lambs at \$3.50.285.70; cults at \$2.750 at \$3.50.00 hearny and common to choice sheep sold at \$3.50.285.20 cults at \$4.55. Dressed mutton firm at 71.50.00 per 10.00 hs.; export grades at \$3.50.00 hs.; mlaced western do. n



TRUST COMPANIES.

Chartered 1822. The Farmers' Loan and Trust Company, Nos. 16, 18, 20 & 22 William St., New York.

Capital, - - \$1,000,000. Undivided Profits, - 7,000,000.

## COMMERCIAL TRUST COMPANY

OF NEW JERSEY. 15 Exchange Place, Jersey City, N. J. (Adjacent to P. R. R. Ferries.)

Capital, \$1,000,000.00. Surplus & Profits, \$1,800,000.00

SAFE DEPOSIT VAULTS. INTEREST ON DEPOSITS.

Personal property of foreign corporations doing business in New York is taxable when kept within New York. The advantage of keeping securities, bank balances and other personal property in New Jersey is therefore apparent.

JOHN W. HARDENBERGH, President.

GEORGE W. YOUNG, Vice-President.

GEORGE W. YOUNG, Vice-President.

GEORGE G. HAVEN,
C. LEDYARD BLAIR,
FREDERICK G. BOURNE,
WILLIAM BRINKERHOFF,
JOHN D. CARSCALLEN,
FREDERIC CROMWELL
C. C. C. CUYLER
JACOB J. DETWILLER.

DIRECTORS:

ROBERT S. ROSS, Vice-President.

GEORGE G. HAVEN,
JAMES G. MORGAN,
EDWIN A. STEVENS,
WILLIAM B. JENKINS,
WILLIAM B. JENKINS,
C. H. KELSEY,
JAMES G. HONGAN,
MYLES TIERNEY
JAMES TIERNEY
JAMES TIMPSON,
CORNELIUS VANDERBILE
JACOB J. DETWILLER,
RICHARD A. McCURDY,
ROBERT H. MCCURDY.

BANKERS AND BROKERS.

Albert H. Vernam & Co., 36 NEW STREET, NEW YORK.

BANKERS AND BROKERS. Transact a General Banking and Stock Exchange Business. We make a specialty of INVESTMENT SECURITIES.

MEMBERS NEW YORK STOCK EXCHANGE. FINANCIAL.

MINNEAPOLIS BREWING COMPANY
First Mortgage Seven Per Cent. Gold Bonds.
NOTICE IS HEREBY GIVEN, pursuant to the
terms of the Trust Deed dated April 1st, 1883, that
the MANHATTAN TRUST COMPANY, Trustee,
will receive proposals up to the close of business
on March 12th. 1908, for the sale to it at a price not
exceeding 110 per cent. and accrued interest, of
sufficient of the above-described bonds to exhaust
the sum of TWENTY-PIVE THOUSAND DOLLARS (52,000.00).
MANHATTAN TRUST COMPANY,
Trustee.

By AMOS T. FRENCH, Vice-President. Dated, New York City, Feb. 18th, 1908.

U. S. ENGINEER OFFICE, Army Bldg., New York, Feb. 23, 1903.—Sealed proposals for dredging in Hariem River, N. Y., will be received here until 12 M. Mch. 25, 1900, and then publicly opened. Information furnished on application. S. M. MANSFIELD, Col., Engrs.

U. S. ENGINEER OFFICE, Galveston, Tex., Feb. 23, 1903.—Sealed bids, in triplicate, for improving Aranass Pass, Tex., by removing part of old jetty, will be received until 2 P. M., March of 1903, and then publicly opened. For information apply to C. S. RICHE, Capt., Eugra.

BIG BILL DEVERY IN ALBANY.

THE FEATURE AT THE BALL OF THE IRONWORKERS' UNION.

He Makes a Speech for the Common People -Takes a Shy at "Dave Hill"-Says G. B. McClellan Won't De for Mayor. but "Coler to the Heir to the Job."

ALBANT, Feb. 23 .- "Big Bill" Devery as a workingman and an advocate of the rights of the "common people" was the rôle the in this city to-night. Devery is a member of the Bridge Structural and Ironworkers Union. The local body to-night gave a ball in Union Hall and "Big Bill" was advertised as the feature. He danced with the prettiest girls in the hall and he distributed good strong cigars, union label, with a lavish hand. Then he was called upon to make a speech. He said:

"It's a proud moment of me life that I can speak to the common people. United we stand; divided we fall. I tell you that's it. If we don't stay together, why then we'll be apart; and when the good things go around, why, we'll be among the also wases. We working people has got to be together. We've got to be independent of any political affiliations. The politicians say they can buy up the votes of all the working people on election day. They're way off. I'm of the common people. I'm going to take the lead and show them the way that they can do things up to the handle if they'll stick together. I'm a working

man.
"When I was a kid I used to carry me dad's dinner pail. Keep away from the politicians and don't listen to any of the hot things Dave Hill says. He's a leader

politicians and don't listen to any of the hot things Dave Hill says. He's a leader—nit. Look what Albany county gave Odell. Hill done it, an' now he wants to be the nominee of our party for President. He'll get it—nit. Stick together, fellows. Look out for Billy Barnes, he's giving you the double cross, too. Then there's the Herrick-Dyer crowd in this city. They ain't any better'n the rest of the bunch. "Big Bill" said in an interview that Congressman McClellan wouldn't do for the nomination for Mayor.

"Why, he's not the friend of the common people. Look when he had cadetahips to give out for West Point and Annapolis, who he gave 'em to. Why, he appointed two of Murphy's sons, and the common people didn't have a peek in at all in the matter. These things will count when it comes to facing the people and asking for their votes. Coler is the heir to the job. Why, his vote entitles him to the nomination. Guess Dave Hill won't cut any ice in that matter. As for President, I ain't come to that hurdle yet. When I do I aint goin' to go 'round it either. I'll clear it the first jump. I don't know this fellow Parker, as I only have saw him once, but they tell me he's a clean-out conservative man. Dave doesn't want him and that is a big card for him."

"Big Bill" was asked to stay and meet Mayor Low and District Attorney Jerome to-morrow, but he answered:

"I've nothing to do with them. They're not of the common people."

After he had graced the ball with his presence for a few hours he went to The Tub and saw the Tammany Senators who make their headquarters there. Senator Peter Dooling was there, but he and "Big Bill" did not fall on each other's necks and weep for joy. "Garry" Benson introduced him to his dog, "Tub." A Physician's Golden Wedding.

elebrated the fiftieth anniversary of their wedding at their home, 465 Avenue D, last night. Their two sons and two daughters and a number of relatives and friends gave them a surprise and numerous gold gifts. Dr. Luce is the oldest practising physician in the city and one of the oldest in the State.

The Letter Carriers' Union has created a fund which will insure a sick benefit of \$5 a week to disabled members, and a philanthropic woman has endowed four beds in St. Luke's Hospital for the letter carriers.

DIVIDENDS AND INTEREST.

GENERAL CHEMICAL COMPANY.

25 Broad Street.

At a meeting of the Board of Directors held Pebruary 18, 1903, a dividend of five per cent, was declared on the common stock of the Company out of the earnings of 1903, payable 14 per cent, quarter-yearly on March 10, June 1, September 1, and December 1 to stockholders of record respectively at the several dates when the transfer books shall be closed therefor in accordance with the by-laws.

The first quarterly payr,ent will be made to those common stockholders of record on February 28, at 3 P. M., and the transfer books will be closed from that time until March 11 at 10 A. M.

The change in March dividend date for this year is made in order to admit of the opening of the transfer books after the declaration and prior to payment of such dividend.

JAMPS I., MORGAN, Treasurer.

Dated New York, February 19, 1993.

THE PEOPLES GAS LIGHT AND COKE CO.

Notice is hereby given that a dividend of ONE AND ONE-HALF PER CENT, has been declared on the Capital Ntock of this Company, payable to the Stockholders on February 25, 1803.

The transfer books will close in New York on Pebruary 18, 1903, at 3 P. M., and will reopen February 20, 1903 at 10 A. M.

L. A. WILEY. Secretary.

ELECTIONS AND MEETINGS.

AMERICAN CIGAR COMPANY.

Notice is hereby given that the Annual Meeting of the stockholders of AMERICAN CIGAR CO. for the election of Directors and the transaction of such other business as may properly come before the meeting will be held at the Home Office of the Company, No. 104 First St., Jersey City, N. J., at 2 o'clock P. M. on Tuesday, March 3, 1903.

R. E. CHRISTIE, Secretary.

INTERNATIONAL CIGAR MACHINERY CO Notice is bereby given that the Annual Meeting of the stockholders of INTERNATIONAL CIGAR MACHINERY CO. for the election of Directors and the transaction of such other business as may properly come before the meeting, will be held at the Home Office of the Company, No. 95 First St. Jersey City, N. J., at 2 o'clock P. M. on Tuesday, March 3, 1908. M. M. WHEDBEE, Secretary.

LEGAL NOTICES.

STATE OF NEW YORK.
COUNTY OF NEW YORK.
WE, HOWARD A. HAVEN, WALDO P. CLEMBRY and PERCIVAL W. CLEMENT, the subscribers, having formed a limited co-partnership, pursuant to the provisions of the statute of the State of New York, do hereby certify:

I. That the name of the firm under which said co-partnership is to be conducted in HAVEN & CLEMENT, and the county wherein the principal place of business is to be located it New York.

Ounty in the State of New York.

II. That the general nature of the business intended to be transacted by such co-partnership is the business of buying, selling and dealing in bonds, stocks, produce, grain and cotton on commission and in doing all things necessary and proper in the business of brokers.

III. The names of all the general and special

mission and in doing all things necessary and proper in the business of brokers.

III. The names of all the general and special partners interested therein and their respective places of residence are as follows: HOWARD A. HAVEN, residing at 704 West 55th Street, in the City, County and State of New York, and WALDO P. OLEMENT, residing at 148 West 71st Street, in the City, County and State of New York, are the general partners: PERCIVAL W. CLEMENT, residing at 8 Brookside, in the City of New York, are the general partners: PERCIVAL W. CLEMENT, residing at 8 Brookside and State of Vermont, is the special partner. All of said persons are of full age.

IV. That the amount of capital which the said Perrival W. Glement, the special partner has contributed to the common stock in cash is the sum of One hundred thousand (\$100,000) Dollars.

V. The said partnership is to begin on the nineteenth day of January, 1904, and is 12 end on the eighteenth day of January, 1904, on this 18th day of January, 1908.

WM. H. Button HOWARD A. HAVEN.

Wm. H. Button

John P. East
as to H. A. H.

WW. P. C.
Frederick H. Button
Oilif F. Harrison
as to P. W. C.
State of New York,
County of New York,
On this 17th day of January, in the year 1802,
the fore me personally came Howard A. Haven, to me personally known and known to me to be one of the individuals described in and who executed the within instrument and acknowledged that he executed the same.

JOHN P. RAST.

[Seal.]

Notary Public (48),
New York County,
New York County,

the within instrument and acknowledges and he executed the same.

[Seal.] JOHN P. EAST,

[Seal.] Notary Public (4B,

New York County,

State of Vermont,

On this leith day of January, in the year 1906
before me personally came Perioval W. Clemens,
to me personally known and known to me to be
one of the individuals described in and who executed the within instrument and acknowledged
that he executed the same.

O. F. HARRISON,

Notary Public.

Swern to before me this ivit day of January, 1908.

JOHN P. EAST, Notary Public (40)

J CREST OF STATE F

OF VERMONT.

State of Vermont.

GREST OF STATE TO OF VERMONT.

State of Vermont.
Rutiand County.

I. Henry A. Harman, Clerk of the County of Rutiand and of the County Court thereof, which is a Court of Record having a seal, do hereby certify that

O. P. HARRISON

at the date of his attractive upon the written metrument to which this is attractive upon the written metrument to which this is attached, was a NOTAR Y PUBLIO duly appointed by the Judges of said Court commissioned and qualified, and dwelling within said County; all which appears by the flice and resords of this office according to law: that as such officer within this State, he was then duly authorized by the laws of the State to administer caths, to take and certify afficiative to take and certify the acknowledgment of deeds of lands to be recorded in this State: that I am well acquainted with his handwriting, and verify believe his signature to the annexed certificate to be centime.

IN TESTIMONY WHEREOF, I have bereinted. genuine.

IN TESTIMONY WHEREOP, I have berounts set my hand, and affixed the Seal of said County Court, at the City of Rutland, this itch day of January, A. D. one thousand sine hundred as a three.

January, A. D. one thousand sine sundred three.

SEAL OF RUTLAND |
COUNTY COURT.

Clerk's Office,
County of New York,
Let the Terms of the foregoing Limited Partners,
hilp be published once a week for six successive weeks in the New York Law Journal and the New York Sun, two papers published and having circulation in the County of New York.

Dated New York, Jan. 17th, 1908,
THOS. L. HAMILTON,
CREAL OF NEW YORK.

(BEAL OF NEW YORK.)